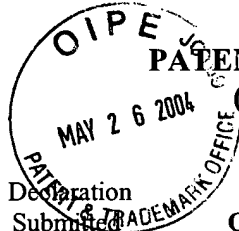


DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)



☐ Declaration
Submitted
with Initial
Filing

OR

☐ Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16(e))
required)

Attorney Docket Number 11520.0340

First Named Inventor Prasad et al.

COMPLETE IF KNOWN

Application Number 10/764,677

Filing Date January 26, 2004

Group Art Unit

Examiner Name

As a below named inventor, I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Ceramic Based Nanoparticles for Entrapping Therapeutic Agents for Photodynamic Therapy and Method of Using Same

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☐ was filed on (MM/DD/YYYY) 01/26/2004 as United States Application Number or PCT International

Application Number 10/764,677 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application (Numbers) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? YES NO | |
|--|---------|-------------------------------------|--------------------------|------------------------------------|--------------------------|
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

| Application Number(s) | Filing Date (MM/DD/YYYY) | <input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto. |
|-----------------------|--------------------------|--|
| 60/442,237 | 01/24/2003 | |

DECLARATION - Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

| U.S. Parent Application or PCT Parent Number | Parent Filing Date (MM/DD/YYYY) | Parent Patent Number (if applicable) |
|--|---------------------------------|--------------------------------------|
| | | |

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

■ Customer Number **OR** ☐ Registered practitioner's name/registration number listed below

| | | | |
|--|--------------|---|---|
| | 26712 | → | Place Customer Number Bar Code Label Here |
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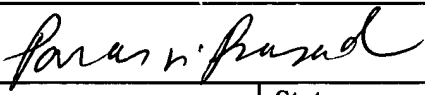
| Name | Registration No. | Name | Registration No. |
|---------------------|------------------|-----------------------|------------------|
| Ranjana Kadle | 40,041 | R. Kent Roberts | 40,786 |
| John M. Del Vecchio | 42,475 | George L. Snyder, Jr. | 37,729 |
| Martin G. Linihan | 24,926 | Rachel S. Watt | 46,186 |
| John D. Lopinski | 50,846 | Daniel C. Oliverio | 33,435 |
| David L. Principe | 39,336 | Edwin T. Bean, Jr. | 16,639 |

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto

Direct all correspondence to: ■ Customer Number or Bar Code Label **26712** **OR** ☐ Correspondence address below


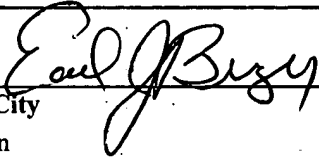
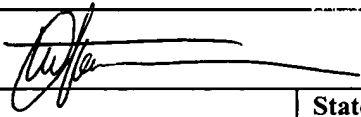
| | | | | | |
|---------|---------------------------|-----------|----------------|-----|----------------|
| Name | Ranjana Kadle | | | | |
| Address | Hodgson Russ LLP | | | | |
| Address | One M&T Plaza, Suite 2000 | | | | |
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| Country | United States | Telephone | (716) 856-4000 | Fax | (716) 849-0349 |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | | | |
|--|-------------------|---|---------------------|
| NAME OF SOLE OR FIRST INVENTOR: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) PARAS | | Family Name or Surname PRASAD | |
| Inventor's Signature  | | Date 5/10/07 | |
| Residence: City Williamsville | State New York | Country U.S. | Citizenship U.S. |
| Mailing Address 51 Waterford Parkway | | | |
| City Williamsville | State New York | ZIP 14221 | Country U.S. |
| ■ Additional inventors are being named on the 2 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto. | | | |

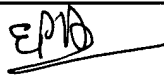
DECLARATION**ADDITIONAL INVENTOR(S)**
Supplemental Sheet

Page 3 of 4

| | | | |
|--|--------------------------|---|-------------------------------|
| NAME OF SECOND INVENTOR: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) INDRAJIT | | Family Name or Surname ROY | |
| Inventor's Signature  | | Date 5/13/04 | |
| Residence: City Baltimore | State Maryland | Country USA | Citizenship India |
| Mailing Address 116 W University Pkwy. Apt #116 | | | |
| City Baltimore | State Maryland | ZIP 21210 | Country USA |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) EARL J. | | Family Name or Surname BERGEY | |
| Inventor's Signature  | | Date 5/10/04 | |
| Residence: City South Dayton | State New York | Country U.S. | Citizenship U.S. |
| Mailing Address 12990 Dye Road | | | |
| City South Dayton | State New York | ZIP 14138 | Country U.S. |
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| Given Name (first and middle [if any]) TYMISH Y. | | Family Name or Surname OHULCHANSKY | |
| Inventor's Signature  | | Date 05/10/04 | |
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| Mailing Address 807 Kenmore Avenue, Apt. 4 | | | |
| City Kenmore | State New York | ZIP 14223 | Country U.S. |

DECLARATION**ADDITIONAL INVENTOR(S)**
Supplemental Sheet

Page 4 of 4

| | | | |
|---|-------------------|---|----------------------|
| NAME OF SECOND INVENTOR: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) HARIDAS | | Family Name or Surname PUDAVAR | |
| Inventor's Signature  | | Date 05/10/04 | |
| Residence: City North Tonawanda | State New York | Country U.S. | Citizenship India |
| Mailing Address 202 Robert Drive, #5 | | | |
| City North Tonawanda | State New York | ZIP 14120 | Country U.S. |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) | | Family Name or Surname | |
| Inventor's Signature | | Date | |
| Residence: City | State | Country | Citizenship |
| Mailing Address | | | |
| City | State | ZIP | Country |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) | | Family Name or Surname | |
| Inventor's Signature | | Date | |
| Residence: City | State | Country | Citizenship |
| Mailing Address | | | |
| City | State | ZIP | Country |